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Attorneys for Plaintiff and Counterdefendant
 ELAN MICROELECTRONICS CORPORATION

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ELAN MICROELECTRONICS
 CORPORATION,

Plaintiff,

v.

APPLE, INC.,

Defendant.

APPLE, INC.,

Counterclaimant,

v.

ELAN MICROELECTRONICS
 CORPORATION,

Counterdefendant.

) Case No. 5:09-cv-01531-RS

)
)
) **STIPULATION AND [PROPOSED] ORDER**
) **CHANGING TIMES RELATED TO**
) **SETTLEMENT CONFERENCE**

WHEREAS, in the Notice of Settlement Conference and Settlement Conference Order, Dkt. 40, the Court set deadlines culminating in a Settlement Conference on January 14, 2010;

WHEREAS lead counsel for Plaintiff Elan Microelectronics Corp., Yitai Hu, will be unavailable on January 14, 2010;

WHEREAS counsel agree to rescheduling the Settlement Conference as listed below;

NOW, THEREFORE, the parties hereby stipulate and ask the Court to order as follows:

1. The Settlement Conference is rescheduled for **February 11, 2010, at 9:30 a.m.**
2. The principals of the parties, with unlimited authority to settle the case, shall meet and confer *in person* on or before may meet and confer on or before **January 21, 2010**, to discuss settlement.
3. Plaintiff shall make a settlement proposal, in writing, by **December 24, 2009**, with a copy to Chambers.
4. Defendant shall respond and make a counter-proposal, in writing, by **January 12, 2010**, with a copy to Chambers.
5. Each party shall prepare a Settlement Conference Statement, which must be LODGED with Chambers no later than **February 4, 2010**.
6. Other than the rescheduling of the dates listed above, no aspect of the Notice of Settlement Conference and Settlement Conference Order, Dkt. 40, is modified by this order.

Respectfully Submitted,

Dated: November 23, 2009

ALSTON + BIRD LLP

By: _____/s/_____
Sean P. DeBruine

Attorneys for Plaintiff
ELAN MICROELECTRONICS CORPORATION

1 Dated: November 23, 2009

WEIL, GOTHSALE & MANGES LLP

2
3 By: _____ /s/
Sonal N. Mehta

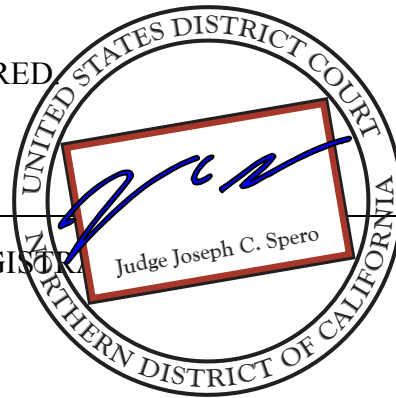
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5 Attorneys for Defendant
APPLE, INC.

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9 **[PROPOSED] ORDER**

10
11 PURSUANT TO STIPULATION IT IS SO ORDERED

12
13 Dated: 11/24, 2009

14 Hon. Joseph C. Spero
UNITED STATES MAGISTRATE



Pursuant to General Order No. 45, Section X (B) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the signatory(ies) above.

Dated: November 24, 2009

ALSTON + BIRD LLP

Attorneys for Plaintiff
ELAN MICROELECTRONICS CORPORATION